

§ 46.4

(g) *Voting residence.* The legal residence or domicile in which the voter is registered to vote.

§ 46.4 Policy.

(a) To implement and administer the FVAA and OCVRA, as amended/DoD Components and other participating Federal departments and agencies concerned with the voting program shall encourage their eligible voters to participate in the voting process of the Federal, State, and local governments.

(b) The voting program shall be administered in such a manner as to ensure that voters are provided all necessary voting information, including voting age requirements, election dates, officers to be elected, constitutional amendments, other ballot proposals, and absentee registration and voting procedures.

(c) When practicable and compatible with operational conditions, every voter shall be afforded an opportunity to register and vote in any election for which the State of his or her voting residence has established enabling laws and procedures.

(d) Voting in person or by absentee process shall be offered when local conditions allow voters to prepare, send, and receive personal material. However, a determination by those administering the voting program that voting assistance cannot be rendered because it is impractical and incompatible with military or Federal operations shall be conclusive, if this determination is made in good faith. (See section 1973cc-24, FVAA.)

(e) Absentee voting procedures shall be prescribed in such a manner as to safeguard the integrity and secrecy of the ballot. In addition, all necessary steps shall be taken to prevent fraud and to protect voters against coercion of any sort.

(1) No member of the Uniformed Services shall attempt to influence any other member to vote or not to vote for any particular candidate, or to require any member to march to any polling place or place of voting. (See section 1973cc-25 of FVAA.)

(2) However, nothing in § 46.4(e), above, shall be considered to prohibit free discussion regarding political issues or candidates for public office.

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(See enclosure 2 of DoD Directive 1344.10,¹ Political Activities by Members of the Armed Forces, September 23, 1969.)

(3) No person in the Uniformed Services of the United States shall poll any other member to attempt to influence his or her vote before or after he or she votes. (See enclosure 2 of DoD Directive 1344.10.)

(4) The provision in § 46.4(c) above, shall not preclude making surveys for statistical compilations to measure the extent of voting participation of persons covered by the FVAA and OCVRA, as amended.

§ 46.5 Organization.

In accordance with E.O. 10646, authority and responsibility are hereby delegated to the Deputy Assistant Secretary of Defense (Administration) to carry out this program on behalf of the presidential designee, the Secretary of Defense. The Deputy Assistant Secretary of Defense (Administration) is authorized to act for the presidential designee and to coordinate and facilitate such actions as may be required to discharge Federal responsibilities assigned in E.O. 10646, FVAA, and OCVRA.

§ 46.6 Responsibilities.

(a) The *Deputy Assistant Secretary of Defense (Administration)* shall: (1) Manage, coordinate, or perform the tasks assigned to the presidential designee in E.O. 10646, the FVAA, and OCVRA.

(2) Establish and maintain liaison with officials of the State legislatures, and with State and local election law officials.

(3) Be the sole DoD representative for obtaining from each State current voting information and disseminating it to other executive departments, agencies, and DoD Components. In this regard, DoD Components and participating departments and agencies may not contact State voting officials about voting matters.

(4) Encourage and assist States and other U.S. jurisdictions to adopt the

¹Copies may be obtained, if needed, from the U.S. Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120. Attention: Code 301.